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selected from the group consisting of a nucleic acid molecule, a dominant negative mutant of an Annexin, a mutant Annexin protein, an antibody to Annexin, a peptide, and a small molecule, whereby said effective amount of said compound modulates Annexin-based MDR in said cell.

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Please add the following new claims:

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32. (New Claim) A method of conferring drug resistance to a cell, comprising an increase in the expression of an Annexin protein, whereby said increased expression is capable of conferring MDR in said cell.

33. (New Claim) The method of claim 32, wherein said Annexin protein is Annexin I.

REMARKS

By the above-mentioned Office Action, the Examiner has required Restriction to one of the following inventions under 35 U.S.C. § 121:

I. Claims 6, 7, 24-27, 30, 31 drawn to method of detecting Annexin based MDR and pharmaceutical composition.

II. Claims 15-23, drawn to method of identifying a compound.

Responsive to the requirements for Restriction, Applicant provisionally elect to prosecute the invention of Group II: Claims 15-23 – more specifically directed to peptides and proteins. All elected claims read on this species.

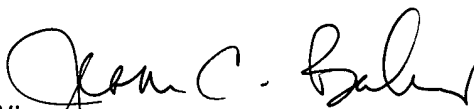
Claims 6, 7, 24-27, 30 and 31 have thus been withdrawn without prejudice or disclaimer. Applicants reserve the right to resubmit the subject matter of claims 6, 7, 24-27, 30 and 31 at a later date during the prosecution or in one or more Divisional Application. The present amendments have been made for purpose of clarity only and in order to better protect what the applicant believes is his invention.

Claims 15-33 are now pending in this application.

Respectfully submitted,

GEORGES *et al.*

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By: 

Jean C. Baker
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202
Reg. No.: 35,433
(414) 277-5709



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our File: 12705.4

Application No.:

09/529,925

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

20. (twice amended) A method of [reducing] modulating Annexin-based MDR in a cell comprising: administering thereto an effective amount of a compound selected from the group consisting of a nucleic acid molecule, a dominant negative mutant of an Annexin, a mutant Annexin protein, an antibody to Annexin, a peptide, and a small molecule, whereby said effective amount of said compound [reduces] modulates Annexin-based MDR in said cell.

32. A method of conferring drug resistance to a cell, comprising an increase in the expression of an Annexin protein, whereby said increased expression is capable of conferring MDR in said cell.

33. The method of claim 32, wherein said Annexin protein is Annexin I.